

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL JEROME IRBY, :  
Plaintiff :  
v. :Case No. 3:18-cv-118-KRG-KAP  
CLEARFIELD COUNTY JAIL, et al., :  
Defendants :

Memorandum Order

This matter has been referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on August 16, 2019, ECF no. 29, recommending that the defendants' motion to dismiss, ECF no. 17, be granted in part and denied in part.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. No objections have been filed and the time to do so has expired.

After review of the record of this matter and the Report and Recommendation under the "reasoned consideration" standard, see EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir.2017) (standard of review when no timely and specific objections are filed), the following order is entered:

AND NOW, this 13<sup>th</sup> day of September, 2019, it is

ORDERED that defendants' motion to dismiss, ECF no. 17, is granted in part and denied in part as recommended in the Report and Recommendation at ECF no. 29, which is adopted as the opinion of the Court. The matter remains with the Magistrate Judge for further proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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